

# **THE COLORADO MEDICAL BOARD**

## **LICENSING PANEL MINUTES**

**March 14, 2012**

**9:01 a.m.**

Licensing Panel of the Colorado Medical Board met Wednesday, March 14, 2012, in the offices of the Colorado Medical Board, 1560 Broadway, Conference 110-A, Denver, Colorado, beginning at 9:01 a.m. The meeting was noticed in accordance with Division Policy.

Present were: Dr. Groce, Dr. Matthews, and Mr. Schoenmakers

Dr. Matthews conducted the meeting.

Also in attendance for all or part of the meeting were: Marschall Smith, Program Director; Maria Soto, Program Assistant; Jan Seewald, Licensing Specialist; Dennis Rhodes, Office of Expedited Settlement; Assistant Attorney General Gina Simonson; and Assistant Attorney General Allison Ailer.

### **MINUTES**

A motion was made, seconded, and carried to approve the minutes of the meeting of February 15, 2012, as amended.

A second motion was made, seconded, and carried instructing staff to correct the meeting minutes of September 14, 2011.

### **EXECUTIVE SESSION**

#### **Executive Session I**

A motion was made, seconded, and carried to enter into Executive Session at 9:16 a.m. The Panel entered into executive session for the following purposes:

Pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II), to confer with counsel to receive legal advice on specific legal questions regarding the applicability of CRS, section 12-36-116(1) to the following applicants:

Don V. Bryson, M.D.  
Benjamin R. Loveridge, M.D.  
Sohail S. Punjwani, M.D.

Scott Shay, M.D.  
Harry Taub, M.D.  
Jeffrey S. Walker, M.D.

To discuss medical information and medical records which are confidential pursuant to Colorado Revised Statutes Title 25, article 1, part 12 and Colorado Revised Statutes section 13-90-107(1)(d) in relation to the following applicant:

Harrison W. Wood, M.D.

Treatment records of applicants(s) whose identity and treatment information is confidential pursuant to federal law (42 U.S.C. 290dd-2; 42 CFR Part 2); and section 25-1-312 of the Colorado Revised Statutes.

Pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II), to confer with counsel to receive legal advice on specific legal questions regarding the applicability of the legal requirements set forth in CRS, 12-36-107.6; 12-36-107(2)(b-c); 12-36-102.5 (3); and policy 20-5 to the following individuals:

Julia I. Kirgan, M.D.  
Jose J. Chavez, M.D.

After discussion, the Panel exited the Executive Session at 10:30 a.m.

### **Executive Session II**

A motion was made, seconded, and carried to enter into Executive Session at 12:20 p.m. The Panel entered into executive session for the following purposes:

Pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II), to confer with counsel to receive legal advice on specific legal questions regarding the applicability of CRS, sections 12-36-111.3(3) and 12-36-106 to the following individuals and entities based on complaints before the Panel:

Cindy Goodman  
Sandra Pelton, R.N.  
Mark Reid, D.C.  
Rocky Mountain Internal Medicine

Pursuant to C.R.S. section 24-6-402(3)(a)(III), for the purpose of discussing matters required to be kept confidential by state statute, specifically Colorado Revised Statute section 12-36-118(10)(a), to discuss medical board inquiry panel matters as they relate in this Panel's discussion of the following individuals and entities:

Cindy Goodman  
Heart Check of America  
Rocky Mountain Internal Medicine

Pursuant to C.R.S. section 24-6-402(3)(a)(III), for the purpose of discussing matters required to be kept confidential state statute, specifically Colorado Revised Statute section 12-36-119.1(10), to discuss a pending disciplinary investigation regarding the following individual:

Jack Cody, D.C.

Pursuant to C.R.S. section 24-6-402(3)(a)(III), for the purpose of reviewing documents and discussing matters required to be kept confidential by state statute, specifically Colorado Revised Statute section 12-38-116.5(9)(a), regarding the following individual:

Sandra Pelton, R.N.

After discussion, the Panel exited the Executive Session at 1:00 p.m.

## **LICENSING MATTERS**

### **Physicians – Administratively Approved**

A motion was made, seconded, and carried to approve the physician applicants listed below for licensure:

Arnold, Karen Lynn	Miller, Brandon James
Bailes, Dallas Elliott	Miller, Lynn Marie
Bartz, Sarah Kay	Oldson, Benjamin Robert
Blankenship, Jeremiah James	Orser, Autumn JoAnne
Byington, Ashton Bart	Pacini, Ross Stephen
Connell, Kathleen Anne	Patel, Vishal Raman
Eastman, Ann Rethy	Pierce, Cason Scott
Eves, Jason Howard	Porter, Clifford Allen
Faucett, Scott Campbell	Potash, Andrea Elisabeth Shea
Faulkner, Douglas Neal	Richardson, Maurice Devon Clay
Fender, Anne Bartlett	Samuelson, Rodney Mark
Fox, Patrick Kevin	Schneider, Preston Michael
Halford, Richard Matthew	Sharma, Amit
Harrall, Jarrod Michael	Sloan, Victoria Lee
Hearty, Thomas Michael	Spaulding-Barclay, Michael Andrew
Inman, Richard Kyle	Spruce, Duard Patrick
Larma, Joel Daniel	Summerside, Paul Robert
Maillet, Juliet Marie	Sweigart, Joseph Robert
Manrique Mercado, Jose Edmundo	Therrien, Thomas Jeffrey
Markovchick, Nadia Suzanne	Tieu, Kathy Diep-Ngoc
Martyak, Gregg G	Wagers, Diedre Ann
Melamed, Itay	Williams, John Newton, IV

### **Physician Training Applicants – Administratively Approved**

After review of the application, a motion was made, seconded and carried to endorse the administrative reinstatement of the license.

Dunn, Albert Sean Matthew  
Stevinson, Brad Gregory

### **Physician Applicants – 1 Civil Malpractice Case - Administratively Approved**

After review of the application, a motion was made, seconded and carried to endorse the administrative reinstatement of the license.

Adam Olding Hebb

### **IMG Applicants – Administratively Approved**

A motion was made, seconded, and carried to grant the physician applicants listed below a Colorado medical license pursuant to Section 12-36-107.6., C.R.S.:

Maninder K. Bali	Egor Kuznetsov
Joseph Manuel Brooks	Nooruddin Sadruddin Punjwani
Carl F. Dando	Penumetsa Bangar Raju
(Reinstatement)	(Endorsement)
Judy Alice Hardage	Marc I. Schlosser
(Endorsement)	(Endorsement)

**Special Physician Applicants — Requiring Board Review**

**Don Victor Bryson, M.D. (Endorsement)**

After review of the application a motion was made, seconded and carried to table Dr. Bryson's application to request for additional information.

A second motion was made, seconded, and carried to allow Dr. Bryson to withdraw his application.

**Charles Whitfield Campbell, Jr., M.D.**

After review of the application a motion was made, seconded and carried to grant Dr. Campbell a re-entry medical license.

**Jennifer Lynn Holan, M.D.**

After review of the application, a motion was made, seconded, and carried to grant Dr. Holan a Colorado medical license.

**Benjamin Richard Loveridge, M.D. (Reinstatement)**

Dr. Loveridge appeared before the Panel, presented information in support of his application, and answered questions from the Panel.

After full consideration of the information available, a motion was made, seconded, and carried to refrain from reinstating Dr. Loveridge a Colorado medical license.

A second motion was made, seconded, and carried to authorize Dr. Loveridge to withdraw his application.

**Michael Benjamin Mefford, M.D.**

After review of the application, a motion was made, and seconded, and carried to grant Dr. Mefford a Colorado medical license.

A second motion was made, seconded, and carried for the Panel to instruct staff to send Dr. Mefford a letter outlining some of the resources available to all Colorado Physicians.

**Carlos Alberto Rueda, M.D.**

After review of the application, a motion was made, and seconded, and carried to grant Dr. Rueda a Colorado medical license.

**Scott Raymond Shay, M.D.**

After review of the application, a motion was made, and seconded, and carried to grant Dr. Shay a Colorado medical license.

**Jeffrey Scott Walker, M.D.**

After review of the application, a motion was made, seconded and carried to seconded, and carried to table for CPHP evaluation.

A second motion was made, seconded, and carried to table further action on this case to obtain additional information.

A third motion was made, seconded, and carried instructing staff to obtain additional information.

A fourth motion was made, seconded, and carried to allow Dr. Walker to withdraw his application

**Harrison W. Wood, M.D.**

After review of the application, a motion was made, seconded and carried to seconded, and carried to table for CPHP evaluation.

A second motion was made, seconded, and carried providing specific instructions to staff regarding the tabling of the application.

**Special Applicants – Tabled - Requiring Board Review**

**Tracy C. Jacobs, M.D.**

A motion was made, seconded, and carried to grant Dr. Jacobs' request to withdraw her application.

**Harry Taub, M.D.**

After full consideration of the information available, a motion was made, seconded, and carried to deny Dr. Taub's counterproposal for a licensing agreement.

A second motion was made, seconded and carried upholding its prior guidance to the Office of Attorney General.

A third motion was made, seconded, and carried to allow Dr. Taub to withdraw his application.

A fourth motion was made, seconded, and carried to authorizing the Office of Attorney General to file the appropriate notice if the Applicant was unwilling to accept the Panel's terms of licensure.

**Polly Fleet Train, M.D.**

This case was administratively removed from the agenda and was not considered by the Panel.

**Special IMG Applicants – Requiring Board Review**

**Lorna Patricia Browne, M.D.**

The Panel conducted an investigation in accordance with Board policy 20-05, reviewed the circumstances and training information regarding Dr. Browne's request for a waiver of the Board's postgraduate training requirements.

Based on the results of its investigation and Dr. Browne's demonstrated training, a motion was made, seconded, and carried to waive the Board's postgraduate training requirements and grant Dr. Browne a Colorado medical license.

**Laura Alicia D'Agostino, M.D.**

The Panel conducted an investigation in accordance with Board policy 20-05, reviewed the circumstances and training information regarding Dr. D'Agostino's request for a waiver of the Board's postgraduate training requirements.

Based on the results of its investigation and Dr. D'Agostino's demonstrated training, motion was made, seconded, and carried to grant Dr. D'Agostino a Colorado medical license.

A second motion was made, seconded, and carried instructing staff to send Dr. D'Agostino a letter outlining some of the resources available to all Colorado Physicians.

**Julia Iurievna Kirgan, M.D.**

Dr. Kirgan appeared before the Panel, presented information in support of her application, and answered questions from the Panel.

After full consideration of the information available, a motion was made, seconded, and carried to refrain from granting Dr. Kirgan a Colorado medical license.

A second motion was made, seconded, and carried to allow Dr. Kirgan to withdraw her application.

**Sohail S. Punjwani, M.D.**

Dr. Punjwani appeared before the Panel, presented information in support of his application, and answered questions from the Panel.

After review of the application materials, a motion was made, seconded and carried to refer the matter to the Office of Attorney General for final resolution.

A second motion was made, seconded, and carried to allow Dr. Punjawani to withdraw his application.

**Madhu Bandaru Reddy, M.D.**

After review of the application, a motion was made, seconded, and carried to grant Dr. Reddy a Colorado medical license.

**Jose Jesus Sanchez Chavez, M.D.**

The Panel conducted an investigation in accordance with Board policy 20-05, reviewed the mitigating circumstances and training information regarding Dr. Chavez's request for a waiver of the board's postgraduate training requirements.

Based on the results of its investigation and Dr. Chavez's demonstrated training, motion was made, seconded, and carried to waive the Board's postgraduate training requirements and grant Dr. Chavez a Colorado medical license.

**Distinguished Foreign Teaching Applicants – Renewal -Requiring Board Review**

**Richard John Ing, M.D.**

After review of the application, a motion was made, seconded, and carried to table consideration of the application to obtain additional information.

A second motion was made, seconded, and carried authorizing Dr. Groce to review the additional information obtained and to act on behalf of the Panel, including the authority to renew Dr. Ing's Colorado Distinguished Foreign Teaching license.

**Philip Frank Stahel, M.D.**

After review of the application, a motion was made, seconded, and carried to renew Dr. Stahel's Colorado Distinguished Foreign Teaching license.

**Miscellaneous**

**Linda L. Burnside, PA**

The Panel reviewed the information regarding Ms. Burnside's disclosure regarding the results of her failing the recertification test with the National Commission on Certification of Physician Assistants.

A motion was made, seconded, and carried instructing staff to place Ms. Burnside's license in an inactive status.

A second motion was made, seconded, and carried instructing staff to reactivate Ms. Burnside's license upon receipt of her successful recertification.

**Rule 140 and Distinguished Foreign Teaching Licenses (DFTL)**

The Panel discussed Board Rule 140 and entertained proposed changes from the Panel members, the OAG, and staff. The Panel's discussion and consideration was to determine if revisions to the current Rule would be proposed to the Full Board, for its consideration, at the May 2012 meeting. The OAG was instructed to provide a revised version of the Rule 140 to consideration and discussion at the April 2012 Licensing Panel meeting.

**Add-On**

**Kirsten M. Koos, M.D.**

The Panel reviewed a proposed Administrative License Stipulation for Dr. Koos.

A motion was made, seconded, and carried to grant Dr. Koos Colorado medical license stipulated for the purpose of practicing administrative medicine. This is not considered a disciplinary action.

**UNLICENSED PRACTICE MATTERS**

**Jack Cody, D.C.**

After review of all available information, a motion was made, seconded and carried to refer the matter to the Office of the Attorney General for final resolution.

**Cindy Goodman**

After review of all available information, a motion was made, seconded and carried to refer the matter to the Office of the Attorney General for a legal investigation and issuance of injunctive action as indicated.

A second motion was made, seconded, and carried providing specific instructions to Board staff regarding matters considered confidential by section 12-36-118(10), Colorado Revised Statutes.

**Heart Check America, LLC.**

After review of all available information, a motion was made, seconded, and carried to refer to the Office of the Attorney General for a legal investigation and issuance of injunctive action as indicated.

**Sandra Pelton, R.N.**

After review of all available information, a motion was made, seconded and carried to refer the matter to the Office of the Attorney General for a legal investigation and issuance of injunctive action as indicated.

**Mark Reid, D.C.**

After review of all available information, a motion was made, seconded, and carried to refer to the Office of the Attorney General's Office for a legal investigation and issuance of injunctive action as indicated.

**Rocky Mountain Internal Medicine**

After review of all available information, a motion was made, seconded, and carried to refer the matter to the Office of Investigations for additional information.

A second motion was made, seconded, and carried providing specific instructions to Board staff regarding matters considered confidential by section 12-36-118(10), Colorado Revised Statutes.



A third motion was made, seconded, and carried to refer the matters regarding the practice of nursing to the Colorado Board of Nursing.

#### **ADJOURNMENT**

**There being no further business, the meeting was adjourned at 1:45 a.m.**

**These minutes were approved by the Licensing Panel on this April 18, 2012.**

*Approved by: Kathleen Matthews, M.D.*

*Date: April 18, 2012*